IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

WP(C).No. 10526 of 2007(C)

PETITIONER:
----

1. P.C.BABY, S/O.PAILY CHERIAN,
AGED 59, PLACHERIL HOUSE, THRIKKALATHOOR PO,.
KEEZHILLAM, MUVATTUPPUZHA, RETIRED CONDUCTOR,
KSRTC DEPOT, CHALAKKUDY.

2. P.P.PONNAPPAN, S/O.PARAMESWARAN,
AGED 59, PANAKKAL HOUSE, AYYAMPILLY P.O.
VYPPIN, RETIRED CONDUCTOR, KSRTC DEPOT,
MUVATTUPPUZHA.

BY ADV. SRI.K.S.AJAYAGHOSH

RESPONDENTS:
----

1. KERALA STATE ROAD TRANSPORT CORPORATION,
CHIEF OFFICE, TRANSPORT BHAVAN, FORT P.O.
THIRUVANANTHAPURAM 695 023, REPRESENTED BY ITS
MANAGING DIRECTOR.

2. THE MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, FORT P.O. CHIEF OFFICE,
THIRUVANANTHAPURAM 695 023.

3. THE STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, DEPARTMENT OF TRANSPORT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY JOHNSON.P.JOHN SC, K.S.R.T.C
GOVT.PLEADER SRI.T.B.RAMANI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS.C.KURIAKOSE .J

W.P.(C) No.10526 of 2007

Dated this the 27th day of March 2007

JUDGMENT

Sri.Johnson.P.John standing counsel takes notice on behalf of the K.S.R.T.C.

The grievance of the petitioners who were working as conductors in the K.S.R.T.C on provisional basis from 1979-80 and later they were regularised in the service of the K.S.R.T.C. as per Ext.P1 Goverment order is that their provisional service is not being counted for the purpose of increment and pensionary benefits. I notice that the issue is covered by the Judgment of the Division Bench in **Idicula Abraham Vs. K.S.R.T.C and others (2005 (2) KLJ 602).** I dispose of the writ petition issuing the following directions :

It is declared that the petitioners are entitled to count the provisional service rendered by them in the K.S.R.T.C along with their regular service for the purpose of quantifying their increments, pension and pensionary benefits. The K.S.R.T.C will determine the monthly pension other pensionary benefits , D.C.R.G due to the petitioners reckoning their provisional service along with their regular service. The respondent is

directed to issue orders granting the consequential benefits to the petitioners , on the basis of the declaration and direction as above, at the earliest and at any rate within two months of receiving a copy of this judgment.

PIUS.C.KURIAKOSE,JUDGE

es